

NIH Labor-Management Partnership Council Meeting Minutes

Monday, June 17, 2002

Attendees: Richard Laubach, Howard Hochman, William Horn, Charles Palmer, Steve Rivero, Tim Wheelles, Tom Fitzpatrick, Steve Benowitz, Rita Sweeney, and Barry Kevin.

Facilitator: Fern Kaufman.

Old Business: Minutes of the May 20, 2002 meeting were reviewed and approved.

New Business

A-76 update: Mr. Tim Wheelles, Director, Division of Management Support (DMS), OD, briefed the Council. Tim introduced Mr. Tom Fitzpatrick, Director, Commercial Activities Team, newly reporting to NIH from GSA, he will be managing the NIH A-76 process in the future. The revised inventory for FY2003, with numbers approximately the same as FY2002, has been sent to the Department. The Department will announce approved inventory numbers for OPDIVs on their website in a series of rounds.

Approval of the numbers for NIH is expected in the first round, possibly in the next two weeks (posting by the Dept may be later). Last year, the process of competing positions was delegated to the ICs; in most cases vacancies versus actual positions were compared. This year positions are being inventoried by function, and A-76 Contacts are working to identify the 930 FTEs to be competed. OMB has specifically identified the "Firefighting" function in the Budget passback, so that is the only function that is sure to be competed. A comment was offered that there has been a rumor that ORS has been pre-determined to take the brunt of the positions to be competed. Mr. Wheelles reiterated that the identification of positions to be competed has not yet been determined, is ongoing and will be based on function. He noted that it is apparent that ORS, in comparison to other ICs, tends to have more functions that are commercial in nature and may ultimately have a higher proportion of competed positions. In an effort to alleviate any disinformation, the A-76 Steering Committee will be rolling out an enhanced communications effort in the near future which will include "All Hands" meetings and a website. Mr. Fitzpatrick made some brief introductory comments and noted that he is enthusiastic about his new position and is encouraged by NIH's policy of no RIFs and putting employee's welfare as a high priority; not the case at other agencies he has seen.

Impact on agency staffing due to the implementation of new technology: Steve Benowitz, Director, Office of Strategic Management Planning (OD) briefed the council. His new job includes management of the NIH strategic human capital planning process. A discussion paper on a variety of options for NIH to consider on "restructuring" issues has been drafted. Options discussed in the paper include re-training and re-assignment coupled with strategic hiring, enhanced efforts to reach affected employees, and possibly increasing the services of the Work & Family Life Center to help employees make informed decisions. One of the bigger questions is "How will employees be placed?". The idea of a "stopper list" (a list of must hires) is included in the options. Other issues

of concern are for those employees that are nearing retirement; NIH has considered seeking early retirement authority from OPM. Buy-outs have also been considered; there is actually a draft of proposed buy-out legislation that is part of the President's management legislation that has been sent to the Congress. The bottom line is that NIH must deal with this issue at the IC Director and Executive Officer level, and the discussion paper is a step in that direction. Mr. Benowitz will make the discussion paper available to the Council by forwarding to Mr. Palmer for further dissemination to the council. Mr. Richard Laubach briefly discussed the situation at the Stone Street Printing operation, where some workers are to be retrained and reassigned as a result of the eGrants program prompting a major decrease in workload, and stated that due to the perceived unfair treatment of the workers the associated costs may end up being much greater than anticipated due to the workers filing grievances and MSPB appeals on the intended actions. He further commented that it could be perceived that the Printing Plant is being punished for not turning a profit for the first time in the last 20 years. Mr. Wheelles made the comment that the changes resulting from the implementation of the eGrants program is being driven by the Administration (the President) and is government-wide for all grants programs. Mr. Benowitz stated he was aware of the situation and that this is much bigger than just NIH and is effecting the whole government. He stated that during the period between 1996-1999, the eGrants system was funded and it is just now coming online. Job training will be provided to any reassigned worker who wants to stay at NIH, and any near-retiree will be accommodated. Generally speaking the ICs do not have the full-impact view of this process, but Mr. Benowitz's office is looking at this from the "30,000 foot" view for all of NIH. A general discussion ensued concerning the retraining, reassignments and the A-76 process underway for this FY. Mr. Steve Rivero asked how it is determined who will do the A-76 process, because it seems to him that lower-level managers are doing it in ORS/PWB at whim. Employees have not been informed of the process. As a union representative he feels he should have more information than he now has. Mr. Laubach stated his concern where skilled trades people (painters, carpenters, etc.) are told they will be retrained and reassigned to the position of Utility Services Repair Operator. He is concerned that the situation is developing where minimally trained workers will be assigned to duties where they will under-perform, and that documented poor performance will set the stage for future A-76 competition for those functions. Mr. Fitzpatrick stated that the A-76 process is externally driven, and that ORS is conducting a pilot project as determined by the A-76 Steering Committee. Since no ORS managers were present at the meeting, it was decided that the council coordinator would invite an ORS manager who can authoritatively speak to this issue for the next meeting.

Meeting schedule: Due to the increasing number of employees having their Alternative Work Schedule (AWS) day off on Mondays and as requested by a participant who has been unable to attend recent meetings, it was suggested by Mr. Barry Kevin that future meetings be held on Wednesdays. There were no objections.